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UNCLAS SECTION 01 OF 07 BRIDGETOWN 000163

SIPDIS

SENSITIVE  
SIPDIS

STATE FOR G/TIP, G, INL, DRL, PRM, AND WHA/CAR  
STATE PASS TO USAID/LAC/CAR-RILEY

E.O. 12958: N/A

TAGS: [KCRM](#) [ELAB](#) [KFRD](#) [ASEC](#) [KWMN](#) [PHUM](#) [PREF](#) [SMIG](#) [BB](#) [XL](#)  
SUBJECT: TIP SUBMISSION - BARBADOS

REF: STATE 2731

11. (U) Below are Post's responses to questions regarding Barbados for the annual Trafficking in Persons Report.

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Para 27 - Overview  
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12. (SBU)

1A. Is the country a country of origin, transit, or destination for internationally trafficked men, women, or children?

Evidence suggests that Barbados is a destination for trafficking, and may be a source and transit country for trafficking as well. According to the Government of Barbados, illegal migrants can be vulnerable to human trafficking. The country has a number of strip clubs and brothels, many of which are staffed by women from the Dominican Republic and other Caribbean islands. In Bridgetown's red light district, illegal migrants can be vulnerable to human trafficking

1B. Please provide a general overview of the trafficking situation in the country and any changes since the last TIP Report (e.g. changes in direction).

A new government came into power in mid-January, 2008, replacing a government administration that was in power for more than 13 years, and thus inheriting a trafficking problem that the previous government-and current permanent civil service has been slow to address. Orienting the new government on the issue and formulating a new anti-TIP policy will take some time.

There was one report of a successful breakup of a human trafficking ring in the Caribbean, which included Barbados. In March, Regional Security Service (RSS) forces dismantled a human trafficking ring destined for Barbados, which involved victims of human trafficking as young as 13 and 14 years old. The Royal Canadian Mounted Police senior liaison officer for the region confirmed that the principal organizers of the ring were from Barbados and Guyana while the number of the girls originated from China and Russia, as well as from throughout the region. Some of the girls were stopped by law enforcement agencies at border points and were immediately deported.

The Barbados Government promised to conduct a survey on the incidence of Human Trafficking in Barbados during the fiscal year 2008-2009.

In the case of the 14 Indian workers who were trafficked to Barbados

at the end of 2005, Surendra Babu was charged as a representative of the construction Larsen and Toubro for employing 14 people from October 3 to November 9, 2005, who were not citizens, permanent residents or immigrants. In addition, no work permits had been granted for engagement or employment at Kensington Oval (a cricket stadium). The case was successfully prosecuted and the company was fined \$1,000 (BDS\$2,000). The Director of Public Prosecutions tried to levy heavier punishment, but his case was weakened by the fact that the company sent the workers home before they could assist with the investigation. (Note: Larsen and Toubro were awarded the general contract for the Kensington Redevelopment Project and granted permission to bring in Indian labor. Cricket World Cup (CWC) 2007 ran from March 11 to April 28, 2007. End Note.)

The December 8, 2006, edition of the Barbados daily "The Nation" reported that Barbadian racecar driver Geoffrey Ulliyett was accused of living off the proceeds of prostitution. He was charged for "exercising control of movement" of Ukrainians Olha Sheherbakova and Anzhela Pantelo in a way that showed that he aided and abetted prostitution. He was also charged in another district court of stealing the passports of the Ukrainians. The magistrate later dropped the charges and Ulliyett was acquitted due to the fact that the government had deported immediately the two Ukrainians and other key witnesses.

1C. What are limitations on the government's ability to address this problem in practice?

A new government came into power in mid-January, 2008, replacing a government administration that was in power for more than 13 years, and thus inheriting a trafficking problem that the previous government-and current permanent civil service has been slow to address. Orienting the new government on the issue and elaborating a new anti-TIP policy will take some time.

The government has no formal screening mechanism to identify

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potential trafficking victims, and therefore immediately deports foreigners that are alleged to be criminals and/or undocumented. During the year, the Immigration Department deported a total of 258 persons for unspecified immigration violations, the majority of whom were from Guyana (129), followed by Jamaica (67), and Saint Vincent and the Grenadines (24). Trafficking victims were often treated as criminals and deported after being held only temporarily for questioning. The government has very limited resources with which to address trafficking. Understaffed law enforcement agencies have limited training in exploring the links between illegal prostitution and potential trafficking. The legal system is equally trapped with a huge caseload and not enough prosecutors to handle the backlog. Other government agencies, however, such as the Bureau of Gender Affairs, Ministry of Foreign Affairs, and Immigration, have participated in several regional trainings, which have shown these linkages. Barbados faces many challenges as a small island developing State with limited financial and human resources and myriad competing claims on these resources. In spite of this, however, assistance can be accessed through public social service agencies for all victims of crime be they Barbadian or foreign nationals. Additional assistance is also available through organizations such as the IOM and its Global Emergency Fund as well as local Non-governmental organizations (NGOs) in Barbados.

1D. To what extent does the government monitor its anti-trafficking efforts?

A number of government agencies are involved in anti-trafficking efforts in Barbados. These include the Immigration Department, the Customs and Excise Department, the Royal Barbados Police Force, the Labour Department, the Welfare Department, the Child Care Board and the Bureau of Gender Affairs.

The Bureau of Gender Affairs is the agency which has taken the lead in combating Trafficking in Persons. This resulted from the Meeting of the Principle Delegates of the Inter-American Commission on Women (CIM) in October 2002, when the Minister of Social Transformation of Barbados gave his commitment to lead the process to combat

trafficking in persons and requested the Bureau of Gender Affairs to lead the process.

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Para 28 - Prevention  
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13. (SBU)

1A. Does the government acknowledge that trafficking is a problem in the country?

Although the Government of Barbados recognizes that trafficking is a problem internationally, its official response has been that there is no indication it is a problem specifically in Barbados, despite evidence to the contrary. However, after a series of high-profile cases involving 14 Indian laborers brought in to work on infrastructure for Cricket World Cup and a recent arrest of a Barbadian racecar driver on pimping charges involving two Ukrainian women, the government is beginning to acknowledge that a limited amount of trafficking may be occurring.

1B. Which government agencies are involved in anti-trafficking efforts and which agency, if any, has the lead?

A number of government agencies are involved in anti-trafficking efforts in Barbados. These include the Immigration Department, the Customs and Excise Department, the Royal Barbados Police Force, the Labour Department, the Welfare Department, the Child Care Board and the Bureau of Gender Affairs.

The Bureau of Gender Affairs is the lead agency in combating Trafficking in Persons. This resulted from the Meeting of the Principle Delegates of the Inter-American Commission on Women (CIM) in October 2002, when the Minister of Social Transformation of Barbados gave his commitment to lead the process to combat trafficking in persons and requested the Bureau of Gender Affairs to lead the process.

1C. Are there, or have there been government-run anti-trafficking information or education campaigns?

The Bureau of Gender Affairs collaborated with the Business and Professional Women's Club of Barbados to sensitize government agencies on the differences between smuggling and trafficking, the importance of referral mechanisms and working with civil society groups, and the importance of implementing a trafficking specific protocol and legislation to better target their efforts.

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Government researchers carried out research in the Caribbean on the situation of trafficking of women and girls to begin the process of data collection as a result of IOM training on the topic.

In 2007, the Bureau of Gender Affairs organized public fora to raise awareness of TIP. These programs were held in prominent public areas such as Heroes' Square in downtown Bridgetown and Oistins fish market. The programs were aimed at potential victims of trafficking and were geared towards raising public awareness.

The Bureau of Gender Affairs facilitated the hosting of two workshops in collaboration with regional/international organisations - a one day workshop in June 2004 and a two day workshop in November 2004. The participants included stakeholders with a role to play in combating the problems of trafficking in persons (UN agencies, Government agencies such as the Police, Immigration, Child Care agencies, Women's groups and NGOs).

1D. Does the government support other programs to prevent trafficking?

The government runs a variety of programs aimed at building self worth in women and recognizing and preventing domestic violence. In addition to a shelter for battered women, there are gender and

equity programs.

1E. What is the relationship between government officials, NGOs, other relevant organizations and other elements of civil society on the trafficking issue?

NGOs and civil society are involved in a coalition of 15 governmental and non-governmental organizations committed to combating trafficking in persons. The relationship is cooperative.

1F. Does the government monitor immigration and emigration patterns for evidence of trafficking? Do law enforcement agencies screen for potential trafficking victims along borders?

While the government has no anti-TIP specific system to monitor human trafficking, officials do monitor illegal immigration and have fully cooperated with international law enforcement bodies to identify and track migration to and through Barbados. However, Immigration authorities are still in the beginning stages of identifying potential victims of human trafficking and those who traffic them. In addition, the government has provided human, material, and financial resources - in cooperation with the United States - for the Advanced Passenger Information System, which checks the criminal backgrounds and migration history of individuals traveling to or through Barbados before they depart their countries of origin.

G Is there a mechanism for coordination and communication between various agencies, internal, international, and multilateral on trafficking-related matters, such as a multi-agency working group or a task force? Does the government have a trafficking in persons working group or a single point of contact?

A local Coalition against Trafficking in Persons was established with the Bureau of Gender Affairs providing secretariat services. Members of the coalition included representatives from the Bureau of Gender Affairs, the Ministry of Labour, the Barbados Tourism Authority, the Police Force, the Barbados Workers' Union, the Child Care Board, the National Organisation of Women, the Barbados Association of Non-Governmental Organisations, the Barbados Family Planning Association, the Men's Educational Support Association, the National Task Force on Crime Prevention, the Barbados Christian Council and the Business and Professional Women's Club.

The coalition has a two-fold purpose - it served to bring awareness of the issue of trafficking in persons to its members and it also utilized their combined knowledge to develop effective strategies for the dissemination of information on the phenomenon. An island-wide information campaign was planned and executed during the latter months of 2005. This included public presentations, television interviews, radio shows, newspaper articles, brochures, fliers and infomercials.

The government has established a coalition with NGOs as a coordination mechanism for new information and implementation of advocacy programs writ large. Within the government, the Immigration Department, Ministry of Foreign Affairs, the Customs and Excise Department, the Royal Barbados Police Force, the Labour Department, the Welfare Department, the Child Care Board and the Bureau of Gender Affairs have established an anti-TIP working group

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with the Bureau of Gender Affairs as the lead agency. The Bureau of Gender Affairs is the lead agency in combating Trafficking in Persons. This resulted from the Meeting of the Principle Delegates of the Inter-American Commission on Women (CIM) in October 2002, when the Minister of Social Transformation of Barbados gave his commitment to lead the process to combat trafficking in persons and requested the Bureau of Gender Affairs to lead the process.

1H. Does the government have a national plan of action to address trafficking in persons? If so, which agencies were involved in developing it? Were NGOs consulted in the process? What steps has the government taken to disseminate the action plan?

The government does not currently have a national plan of action for trafficking in persons, but drafted a protocol for anti-TIP action, which the Bureau of Gender Affairs has shared with other government agencies.

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Para 29 - Investigations and Prosecutions of Traffickers  
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14. (SBU) Questions A, B, C, D, and E

Barbados does not have legislation which speaks to the offence of trafficking in persons per se. However, there are several pieces of legislation which address conduct that may amount to the offence of trafficking in persons. Further, it should be noted that section 14 of the constitution of Barbados provides that no persons shall be held in slavery or servitude and no persons shall be required to perform forced labour.

The Sexual Offences Act, Cap. 154 and the Offences Against the Person Act, Cap. 141 address conduct which may amount to trafficking in persons both for sexual and non-sexual purposes.

Sections 33 and 34 of the Offences Against the Person Act speak to the crime of slavery. However, sections 30 and 31 of the mentioned Act should be noted as they speak to the respective crimes of kidnapping, abduction and wrongfully concealing a person and such conduct may be used to facilitate slavery.

Part I of the Sexual Offences Act, which makes provisions for what amounts to a sexual offence, should be noted as these offences may be similar to what amounts to an offence of trafficking in persons for sexual purposes or conduct that facilitates the offence of trafficking in persons for sexual purposes.

Barbados has enacted no relevant new legislation since the last TIP report. The Immigration Act, Cap. 190 may also be utilised to assist with the prosecution of persons who have committed offences which may amount to trafficking in persons.

The laws cover conduct which may amount to internal and external forms of trafficking in persons.

There are other laws used in relation to cases which may amount to trafficking in person cases. These include the following Acts: the Extradition Act, Cap. 189; and the Immigration Act, Cap. 190.

Other relevant laws include: Extradition Act, Cap. 189 (criminal law); Immigration Act, Cap. 190 (criminal law); Offence Against the Person Act, Cap. 141 (criminal law) Sexual Offences Act, Cap.154 (criminal law); the Constitution of Barbados (civil law).

Under the Sexual Offences Act the penalties for conduct which may amount to trafficking in persons for sexual exploitation include imprisonment or fines or both. The penalty for rape is up to life imprisonment. The penalty for sexual assault is up to five years in prison.

Under the Offences Against the Person Act the penalties for conduct which may amount to trafficking in persons for labour include imprisonment or fines or both.

Under domestic legislation the actions described (confiscating workers' passports etc.) may amount to the detention of a person against his will as a slave and therefore sections 44 and 45 of the Offences Against the Person Act and section 14 of the Constitution of Barbados would apply.

There is no specific provision in Barbados' domestic legislation that addresses trafficking for commercial sexual exploitation per se. Under the Sexual Offences Act the penalty for the offence of rape, on conviction, is imprisonment for life (section 3). Under this act reference is also made to the offence of indecent assault - the penalty for the offence of indecent assault, on conviction, is



imprisonment for 5 years,

Prostitution is illegal in Barbados. The Sexual Offences Act criminalises the act of prostitution. Section 19 (1)(a) provides that a person who lives wholly or partially on the earnings of prostitution is guilty of an offence. Section 19 (1)(b) provides that where a person in any place solicits for immoral purposes that person is guilty of an offence and is liable on summary conviction to imprisonment for a term of five years or to a fine of \$5000 or both.

Section 18 of the Sexual Offences Act establishes that where a person: a) keeps or manages or acts or assists in the management of a brothel; b) is a tenant, lessee, occupier or person in charge of any premises, who knowingly permits the premises or any part of the premises to be used as a brothel or for the purposes of prostitution; or c) is a landlord or lessor or the agent of the landlord or lessor who lets any premises or part of the premises for the purposes of a brothel. That person is guilty of an offence and is liable on summary conviction to imprisonment for a term of five years or to a fine of \$5000 or both.

Section 7 of the Juvenile Offenders Act, Cap.138 addresses the age of criminal responsibility in Barbados and it states: "Sections 8 and 9 shall not render punishable for an offence any child who is not, in the opinion of the court, above the age of 11 years and of sufficient capacity to commit a crime."

1F. Has the government prosecuted any cases against traffickers?

Larsen and Toubro was successfully prosecuted and the company was fined \$1,000 (BDS\$2,000). The Director of Public Prosecutions tried to levy heavier punishment, but his case was weakened by the fact that the company sent the workers home before they could assist with the investigation.

The magistrate dropped the charges and acquitted Geoffrey Ulyett of charges of living off the proceeds of prostitution and "exercising control of movement" of Ukrainians Olha Sheherbakova and Anzhela Pantelo, because the government immediately deported the two Ukrainians and other key witnesses.

1G. Is there any information or reports of who is behind the trafficking? For example, are the traffickers freelance operators, small crime groups, and/or large international organized crime syndicates?

There are reports of small time, high-end traffickers. Another type appears to be companies that are bringing in large numbers of laborers to work in Barbados' booming construction industry. A large number of these workers would probably be better classified as smuggled as opposed to trafficked.

1H. Does the government actively investigate cases of trafficking? (Again, the focus should be on trafficking cases versus migrant smuggling cases.)

Barbados is the Chair of and contributes staff and other resources to the Regional Security Service (RSS), a coalition of top-level police, customs, immigration, military, and Coast Guard representatives from across the Caribbean. The RSS recently investigated and dismantled a human trafficking network victimizing children as young as 13 who were trafficked from China and Russia, as well as from throughout the region.

1I. Does the government provide any specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking?

Some government officials have been trained on the topic of trafficking writ large, but not specific to identifying, prosecuting traffickers, and protecting victims.

1J. Does the government cooperate with other governments in the investigation and prosecution of trafficking cases? If possible, can post provide the number of cooperative international investigations on trafficking?

In March, Regional Security Service (RSS) forces worked with the Royal Canadian Mounted Police to dismantle a human trafficking ring destined for Barbados, which involved victims of human trafficking as young as 13 and 14 years old. The government has also fully cooperated with international law enforcement to identify and track migration to and through Barbados. However, Immigration authorities are still in the beginning stages of identifying potential victims of human trafficking and those who traffic them. In addition, the government has provided human as well as limited material and

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financial resources - in cooperation with the United States - for the Advanced Passenger Information System, which checks the criminal backgrounds and migration history of individuals traveling to or through Barbados before they depart their countries of origin.

1K. Does the government extradite persons who are charged with trafficking in other countries? If so, can post provide the number of traffickers extradited? Does the government extradite its own nationals charged with such offenses?

There have been no requests for extradition of individuals charged with trafficking in other countries.

1L. Is there evidence of government involvement in or tolerance of trafficking, on a local or institutional level?

No.

1M. If government officials are involved in trafficking, what steps has the government taken to end such participation? Have any government officials been prosecuted for involvement in trafficking or trafficking-related corruption? Have any been convicted? What sentence(s) was imposed? Please provide specific numbers, if available.

No concrete evidence to date of government participation.

1N. If the country has an identified child sex tourism problem (as source or destination), how many foreign pedophiles has the government prosecuted or deported/extradited to their country of origin?

In March, Regional Security Service (RSS) forces dismantled a human trafficking ring destined for Barbados, which involved victims of human trafficking as young as 13 and 14 years old. The Royal Canadian Mounted Police senior liaison officer for the region confirmed that the principal organizers of the ring were from Barbados and Guyana while the number of the girls originated from China and Russia, as well as from throughout the region.

1O. Has the government signed, ratified, and/or taken steps to implement the following international instruments? Please provide the date of signature/ratification if appropriate.

a. ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor: Ratified May 8, 1967.

b. ILO Convention 29 and 105 on Forced or Compulsory Labor: Ratified October 23, 2000.

c. The Optional Protocol to the Convention on the Rights of the Child (CRC) on the Sale of Children, Child Prostitution, and Child Pornography: Did not sign or ratify.

d. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention Against Transnational Organized Crime: Signed September 26, 2001.

15. (SBU)

1A. Does the government assist victims, for example, by providing temporary to permanent residency status, relief from deportation, shelter and access to legal, medical and psychological services?

Victims are normally deported for immigration violations before any services can be provided or ability to assist in prosecutions. Without anti-TIP legislation the Immigration Department is legally bound to detain and deport.

1B. Does the government provide funding or other forms of support to foreign or domestic NGOs for services to victims?

There is women's shelter operated by the Business and Professional Women's Club, which is partially supported by a government subvention. Foreign nationals in need of social services have the same access to government-provided services as Barbadians.

1C. Do the government's law enforcement and social services personnel have a formal system of identifying victims of trafficking among high-risk persons with whom they come in contact?

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The GOB does no screening for potential TIP victims.

1D. Are the rights of victims respected, or are victims treated as criminals? Are victims detained, jailed, or deported? If detained or jailed, for how long? Are victims fined? Are victims prosecuted for violations of other laws, such as those governing immigration or prostitution?

Undocumented foreigners are generally treated as criminals and expeditiously deported. If a victim is foreign, without the proper legal documentation, s/he would most likely be immediately deported. Without anti-TIP legislation the Immigration Department is legally bound to detain and deport.

1E. Does the government encourage victims to assist in the investigation and prosecution of trafficking?

Undocumented foreigners are generally treated as criminals and expeditiously deported. If a victim is foreign, without the proper legal documentation, s/he would most likely be immediately deported.

1F. What kind of protection is the government able to provide for victims and witnesses? Does it provide these protections in practice? What type of shelter or services does the government provide?

(See answers to question B above)

1G. Does the government provide any specialized training for government officials in recognizing trafficking and in the provision of assistance to trafficked victims, including the special needs of trafficked children?

The Bureau of Gender Affairs collaborated with the Business and Professional Women's Club of Barbados to sensitize government agencies on the differences between smuggling and trafficking, the importance of referral mechanisms and working with civil society groups, and the importance of implementing a trafficking specific protocol and legislation to better target their efforts.

The International Organization for Migration (IOM) has been conducting seminars and training for the past couple of years that are attended by government officials from a variety of social welfare and law enforcement agencies.

1H. Does the government provide assistance, such as medical aid, shelter, or financial help, to its repatriated nationals who are victims of trafficking?

(See answers to questions B and F above)



41. Which international organizations or NGOs, if any, work with trafficking victims? What type of services do they provide? What sort of cooperation do they receive from local authorities? NOTE: If post reports that a government is incapable of assisting and protecting TIP victims, then post should explain thoroughly. Funding, personnel, and training constraints should be noted, if applicable. Conversely, the lack of political will to address the problem should be noted as well.

(See answers to questions 3B, C and G. Also 5 B.)

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